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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,749	04/12/2006	Germano Emiliani	05581-00145-US	3276

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CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON, DE 19899

EXAMINER

AHMED, SHEEBA

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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02/06/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1. The Amendment After Final submitted on January 20, 2009 has been entered in the above-identified application but does not place the application in condition for allowance.

Applicants traverse the rejection of the now amended claims under 35 U.S.C. 102(b) as being anticipated by Giacobbe et al. (US 5,641,848 A) and submit that the claimed invention is a cast film composition that can be used as a label film and that the now amended claims more clearly define the label film by adding a more precise definition for the high crystallinity of the homopolymer component by incorporating the features of claim 2 into claim 1 (which defines the high crystallinity polypropylene as having a stereoregularity of 94 to 99%). Applicants argue that there is no such polymer with a stereoregularity of at least 94% suggested by Giacobbe and that there is no indication as to why the film in accordance with Giacobbe should be specifically useful as a label film.

However, the Examiner disagrees. First, Giacobbe et al. disclose a blown film or sheet material comprising a broad molecular weight distribution propylene polymer material having a molecular weight distribution Mw /Mn of about 4 to about 60, a melt flow rate of about 0.5 to about 50 dg/min, and xylene insolubles at 25°C. of greater than or equal to 94%. The xylene insolubles are a direct measurement of the crystalline portion of the propylene polymer and hence Giacobbe in fact teaches a polymer having a stereoregularity of at least 94%. Second, the claims are directed to a cast film and not a label.

Hence, the above rejection is maintained.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEEBA AHMED whose telephone number is (571)272-1504. The examiner can normally be reached on Monday-Friday from 8am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571)272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sheeba Ahmed/
Primary Examiner, Art Unit 1794

Application/Control Number: 10/575,749
Art Unit: 1794

Page 4